IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL (L) NO.474 OF 2004
WITH
NOTICE OF MOTION NO.1442 OF 2004

The Commissioner of Income Tax ..Appellant

Vs.

M/s.S.H.Kelkar & Co.Ltd. ..Respondent

Mr.B.M.Chatterjee with Mrs.P.P.Bhosale for the Appellant.
Mr.Nishant Thakker i/b. Mulla & Mulla for the Respondent.

CORAM :- DR.S.RADHAKRISHNAN &
V.C.DAGA, JJ.

DATE : 18TH JUNE, 2007

P.C.

1. The learned Counsel for the Appellant seeks leave to withdraw the above Appeal. The Appeal is allowed to be withdrawn and dismissed as such.

Permissible Court Fees be refunded to the Appellant.

2. In view of the withdrawal of the Appeal, the above Notice of Motion also stands dismissed.

(V.C.DAGA,J.) **(DR.S.RADHAKRISHNAN,J.)**